

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MARK S. SMITH, JR.,

Plaintiff,

-vs-

WACKER NUESON CORPORATION, ET AL,

Defendant.

No. 09-CV-1064-DRH

**JUDGMENT IN A CIVIL CASE**

**DECISION BY COURT.** This matter is before the court for the purpose of docket control.

**IT IS HEREBY ORDERED AND ADJUDGED** that pursuant to the Orders entered by this Court on August 29, 2011 (Docs. 83), October 13, 2011 (Doc. 89), October 14, 2011 (Doc. 91) and September 21, 2012 (Doc. 129), this case is **DISMISSED** with prejudice, in its entirety. Each party shall bear their own costs.

NANCY J. ROSENSTENGEL,  
CLERK OF COURT

BY: /s/Sara Jennings  
Deputy Clerk

Dated: September 21, 2012

Digitally signed by  
David R. Herndon  
Date: 2012.09.21  
15:43:18 -05'00'

APPROVED:

CHIEF JUDGE  
U. S. DISTRICT COURT